

SIEMENS**FACSIMILE COVER SHEET**In the UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Michael STEIERT

Application No. 10/541,178

Attorney Docket No. 2002P19801WOUS

Filed: 07/05/2005

Title: COMBINED INSTRUMENT

Examiner: Mark TSIDULKO

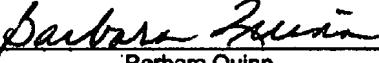
Art Unit: 2875

FACSIMILE ATTN TO EXAMINER: Mark TSIDULKO FAX NO.: 571-273-8300**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
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TRANSMITTAL
FORM

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Total Number of Pages in This Submission

Application Number	10/641,178
Filing Date	07/05/2005
First Named Inventor	Michael STEIERT
Art Unit	2875
Examiner Name	Mark TSIDULKO
Total Number of Pages in This Submission	4
Attorney Docket Number	2002P19801W0US

ENCLOSURES (Check all that apply)

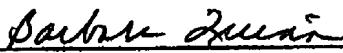
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Petition to Withdraw Holding of Abandonment
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Siemens		
Signature			
Printed name	John P. Musone		
Date	November 12, 2007	Reg. No.	44,981

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Signature			
Typed or printed name	Barbara Quinn	Date	November 12, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2002P19801WOUS
Michael STEIERT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Michael STEIERT
Application No.: 10/541,178
Filing Date: 07/05/2005
For: *COMBINED INSTRUMENT*

Art Unit: 2875
Examiner: Mark TSIDULKO
Atty. Docket: 2002P19801WOUS
Confirmation No.: 6618

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop: Issue Fee
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under 37 CFR § 1.181(a), Applicant respectfully requests withdrawal of the holding of abandonment for the reasons set forth below. Prompt consideration and granting of the petition is respectfully requested.

2002P19801WOUS
Michael STEIERTSTATEMENT OF FACTS

1. On October 5, 2006, Applicant received a first Office Action on the merits, mailed September 27, 2006, regarding the above-referenced application. The Office Action Summary indicates that the drawings filed on 05 July 2005 are "accepted." The Detailed Action does not address or object to the drawings.
2. On March 26, 2007, Applicant received a final Office Action, mailed March 19, 2007. The Office Action Summary indicates that the drawings filed on 05 July 2005 are "accepted." The Detailed Action does not address or object to the drawings.
3. On July 9, 2007, Applicant received the Notice of Allowability, which indicates that corrected drawings must be submitted including the changes required by the Notice of Draftsperson's Patent Drawing Review attached "hereto." Applicant did not receive the Notice of Draftsperson's Patent Drawing Review indicated as being attached to the Notice of Allowability. The Detailed Action does not address or object to the drawings.
4. On September 17, 2007, Applicant paid the Issue Fee without submitting corrected drawings.

2002P19801WOUS
Michael STEIERTREMARKS

On November 5, 2007, Applicant received the Notice of Abandonment, mailed October 26, 2007, according to which the application is abandoned due to Applicant's failure to timely file corrected drawings. Applicant contends that the application is not in fact abandoned because the Office accepted the drawings (cf. Office Actions mailed September 27, 2006, and March 19, 2007), and corrected drawings were in fact not required. No fee is required.

Applicant believes that the request for corrected drawings in the Notice of Allowability was in error because the Office previously accepted the drawings, the Examiner does not address or object to the drawings, and a Notice of Draftsperson's Patent Drawing Review was not attached to the Notice of Allowability.

Applicant submits further that according to Public PAIR the Notice of Allowability does not have a Notice of Draftsperson's Patent Drawing Review attached.

In view of the foregoing, Applicant respectfully petitions the Office to withdraw the holding of abandonment, and to complete the issue process.

If any issues remain or require clarification, the Office is respectfully requested to call the undersigned attorney of record at the telephone number listed below in order to resolve such issues promptly.

Respectfully submitted,

Dated: 11/12/07


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